

Judge Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

| No. 2:19-cr-00210-RAJ

Plaintiff,

**ORDER ON MOTION FOR REDUCED
SENTENCE UNDER 18 U.S.C.
§ 3582(c)(2) and AMENDMENT 821**

JOANN E. THOMAS,

Defendant.

In May of 2022, a jury in this district found Defendant Joann Thomas guilty of fifteen criminal offenses, specifically: Conspiracy (1 count), Mail Fraud (4 counts), Wire Fraud (4 counts), Aggravated Identity Theft (2 counts), and Money Laundering (4 counts). Dkt. 223. The defendant timely filed a direct appeal, which currently is pending before the Ninth Circuit Court of Appeals. *United States v. Joann Thomas*, Nos. 23-935 & 23-30002.

The law in the Ninth Circuit is abundantly clear that a district court is divested of jurisdiction once a notice of appeal has been filed from the original sentence. *See United States v. Ortega-Lopez*, 988 F.2d 70 (9th Cir. 1993).

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ORDER ON MOTION FOR REDUCED SENTENCE
UNDER 18 U.S.C. § 3582(c)(2) and AMENDMENT 821
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1 Notwithstanding this determination, the defendant is ineligible for any
2 reduction. This Court has reviewed the Government's Opposition to Motion for Reduced
3 Sentence (Dkt. 240) and it accurately states the law. This Court thus adopts that analysis
4 and **DENIES** the defendant's motion.

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6 DATED this 5th day of February, 2024.
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10 The Honorable Richard A. Jones
11 United States District Judge
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